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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 112280.121US3

Applicants: Opolski, M. ) Examiner: Reddick, J.  
Filed: May 15, 2001 ) Art Unit: 1713  
Serial No.: 09/855,923 )

Entitled: Water-Based Hydrophilic Compositions and Articles Prepared Therefrom

\*\*\*\*\*

**CERTIFICATE OF FIRST CLASS MAILING UNDER 37 CFR §1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date below.

6/8/04

Date of Signature and  
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*Sarah Farris*

Sarah Farris

\*\*\*\*\*

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT  
UNDER 37 CFR 1.121**

Dear Sir:

In response to the Notice of Non-Compliant Amendment dated June 1, 2004 in the above-referenced application, Applicants respectfully submit the following:

1. Notice of Non-Compliant Amendment dated June 1, 2004 (copy);
2. Replacement Amendment and Response; and
3. Return Postcard.

Please charge any fees that might be due in connection with this matter to Deposit Account No. 08-0219. Please contact the undersigned should there be any questions.

Respectfully submitted,

Date: June 8, 2004  
Wilmer Cutler Pickering  
Hale and Dorr LLP  
60 State Street  
Boston, MA 02109  
Tel: (617) 526-6000  
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*Mary Rose Scozzafava*  
Mary Rose Scozzafava, Ph.D.  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/855,923	05/15/2001	Margaret P. Opolski	112280-121US CN	4361

23483 7590 06/01/2004

HALE AND DORR, LLP  
60 STATE STREET  
BOSTON, MA 02109

EXAMINER

HALE AND DORR, LLP

ART UNIT PAPER NUMBER

JUN 03 2004  
DATE MAILED: 06/01/2004

DOCKET  
DEPT.  
INTELLECTUAL PROPERTY  
DEPARTMENT

Please find below and/or attached an Office communication concerning this application or proceeding.

HALE & DORR DOCKETING  
RE: 112280-121US3  
Action Date: 7-1-04  
Action to be Taken: OIA Dux  
Docketed By: BUB On: 6:30:21



UNITED STATES PATENT AND TRADEMARK OFFICE



09/855,923

COMMISSIONER FOR PATENT  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. Box 145  
ALEXANDRIA, VA 22313-145  
www.uspto.gov

Paper No.

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 3-12-04 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on June 30, 2003 (see 68 Fed. Reg. 38611, Jun. 30, 2003). In order for the amendment document to be compliant, correction of the following item(s) is required. **Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted.** 37 CFR 1.121(h).

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☐ C. Other \_\_\_\_\_
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other \_\_\_\_\_
- ☐ 3. Amendments to the drawings: \_\_\_\_\_
- ☒ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
  - ☐ B. The listing of claims does not include the text of all claims (including withdrawn claims)
  - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified.
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☒ E. Other: Previously Amended, previously added are not proper identifiers.

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given **ONE MONTH** from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this **ONE MONTH** time limit is not extendable.

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION** (including a submission for an RCE), and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a **TIME PERIOD** of **ONE MONTH** from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.

Jelica R. Jarner  
Legal Instruments Examiner (LIE)

571-272-1005  
Telephone No.